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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 ROGER GIFFORD,

12 Plaintiff,

13 v.

14 MICHELE HANSON, et al.,

15 Defendants.
16

No. 2:21-CV-0119-DJC-DMC

SCHEDULING ORDER

17 Plaintiff, who is proceeding pro se, brings this civil action. Upon referral by the
18 District Judge, the parties appeared before the undersigned on January 8, 2025, at 11:00 a.m., for
19 an initial scheduling conference. Upon consideration of the joint status report on file in this
20 action, discussion with counsel, and good cause appearing therefor, the Court will, by this order,
21 set a schedule pursuant to Federal Rule of Civil Procedure 16(b).

22 Accordingly, IT IS HEREBY ORDERED as follows:

- 23 1. Jurisdiction and venue are not contested.
- 24 2. No further joinder of parties or amendments to the pleadings is permitted
25 without stipulation or leave of Court for good cause shown.
- 26 3. The parties are advised that they may, if all consent, have the matter re-
27 assigned for all purposes, including entry of final judgment, to the undersigned Magistrate Judge.
28 Given the extraordinary back-log of civil cases in this district, coupled with the shortage of

1 District Judges and pandemic-related delays in criminal cases, it is not anticipated that this matter
2 could be set for trial before the assigned District Judge at any time within the next two years. A
3 trial before the District Judge within the next three years is also unlikely. The parties will be able
4 to obtain an earlier trial date by consenting to Magistrate Judge jurisdiction. Any jury trial by
5 consent to the undersigned would be conducted in Sacramento, California. The parties are
6 encouraged to meet and confer regarding the issue of consent and requested to notify the Court of
7 the respective elections at their earliest opportunity.

8 4. The Court sets the following pre-trial schedule for this litigation:

9 Initial Disclosures: The parties are directed to exchange initial disclosures as
10 required by Federal Rule of Civil Procedure 26(a) on or before **January 30, 2025**.

11 Non-Expert Discovery: All non-expert discovery shall be completed and all
12 motions pertaining to non-expert discovery shall be noticed to be heard by **February 20, 2026**.

13 Expert Witness Designations: The parties shall exchange initial lists of expert
14 witnesses no later than **March 20, 2026**. The parties shall exchange lists of rebuttal expert
15 witnesses no later than **April 17, 2026**. Such disclosures must be made pursuant to Federal Rule
16 of Civil Procedure 26(a)(2)(A) and (B). The parties are reminded of their obligation to
17 supplement these disclosures when required under Federal Rule of Civil Procedure 26(e).

18 Expert Discovery: All expert discovery shall be completed and all motions
19 pertaining to expert discovery shall be noticed to be heard by **June 5, 2026**.

20 Discovery Motions: Motions regarding discovery shall be noticed before the
21 assigned Magistrate Judge, as provided by Eastern District of California Local Rule 302(c).

22 Dispositive Motions: All dispositive motions shall be filed by **September 4, 2026**,
23 and noticed for a hearing on the earliest available law and motion date on the District Judge's
24 calendar in accordance with Eastern District of California Local Rule 230(a).

25 Duty to Supplement: The parties are reminded of their continuing obligation to
26 supplement their initial disclosures, discovery responses, and expert witness designations when
27 required under Federal Rule of Civil Procedure 26(e).

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1 5. After consideration of the parties' comments related to settlement, the
2 parties are directed to notify the Court prior to any final pre-trial conference whether they request
3 a court settlement conference date or referral to the Voluntary Dispute Resolution Program. The
4 parties shall file said notification or request for referral jointly, in writing. If the parties are
5 requesting a court-convened settlement conference, the parties shall also advise whether they
6 waive a conflict as to the assigned Magistrate Judge for the purposes of a court-convened
7 settlement conference.

8 6. The pre-trial conference is set for **January 14, 2027, at 1:30 p.m.** via
9 Zoom before the Honorable Judge Calabretta. Separate pre-trial statements shall be filed pursuant
10 to Local Rule 281. At the pre-trial conference, the court will set deadlines, among others, to file
11 motions in limine, final witness and exhibits lists, objections thereto, and other trial documents.

12 7. Jury trial of this matter is set for **March 15, 2027, at 8:30 a.m.** in
13 Courtroom 7 before the Honorable Judge Calabretta. The parties shall file trial briefs pursuant to
14 Local Rule 285.

15 8. This case schedule will become final without further order of the Court
16 unless objections are filed within 14 days of the date of this order. The schedule, once final, shall
17 not be modified except on application to the Court showing good cause. All provisions of the
18 District Judge's Standing Scheduling Order for Civil Cases, which the parties may access on the
19 Court's website, shall apply and are incorporated herein.

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21 Dated: January 22, 2025


DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE